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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Shinichiro FUJITA et al.

Group Art Unit: 2187

Application No.: 10/625,643

Examiner: M. BRADLEY

Filed: July 24, 2003

Docket No.: 116668

For: DATA TRANSFER CONTROL DEVICE, ELECTRONIC INSTRUMENT, PROGRAM
AND METHOD OF FABRICATING ELECTRONIC INSTRUMENT

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the June 4, 2007 Notice of Non-Compliant Amendment (copy attached), attached is a corrected version of the February 15, 2007 Amendment. The corrected Amendment properly includes the markings of the amended claims pursuant to 37 CFR 1.121, i.e., the phrase in claim 9, line 3, "a data transfer control device including" is underlined. Thus, the requirements of the Patent Office have been met. Accordingly, prompt allowance of the claims is earnestly solicited.

Respectfully submitted,

Lea A. Nicholson

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Registration No. 27,075

Lea A. Nicholson
Registration No. 48,346

JAO:LAN/jgg

Date: June 13, 2007

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DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/625,643

07/24/2003

Shinichiro Fujita

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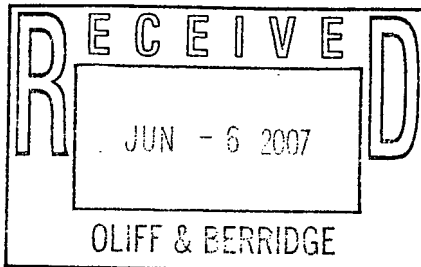
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06/04/2007

OLIFF & BERRIDGE, PLC

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ALEXANDRIA, VA 22320



EXAMINER

BRADLEY, MATTHEW A

ART UNIT

PAPER NUMBER

2187

MAIL DATE

DELIVERY MODE

06/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DUE DATE

JUL - 4 2007

DOCKETED

By lmt on 6/6 2007
and
By clm on 06/06 2007
Oliff & Berridge



**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.	Applicant(s)	
10/625,643	FUJITA ET AL.	
Examiner	Art Unit	
Matthew Bradley	2187	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 15 February 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

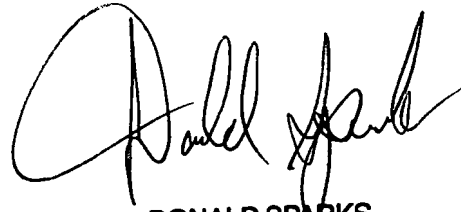
Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Continuation of 4(e) Other: 37 CFR 1.121 requires that the text of all claims being currently amended must be presented in the claims listing with markings to indicate the changes that have been made relative to the immediate prior version. Thus, claim 9 line 3 as presently amended on 15 February 2007 indicates without a underline that the phrase 'a data transfer control device including' should appear relative to the immediate prior version which would be claims as filed 22 August 2006. However claim 9 as filed 24 August 2006 does not show this limitation. Accordingly, claim 9 as presently presented fails to properly indicate the changes that have been made relative to the immediate prior version. Appropriate correction is required. *mb*



DONALD SPARKS
SUPERVISORY PATENT EXAMINER